

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
SURPRISE FIELD OFFICE  
DECISION RECORD**

**Divine Springs Campground Fence EA  
DOI-BLM-CA-N070-2014-0006**

**Introduction**

The purpose of the Divine Springs Campground fence is to eliminate cattle use from the campground through the installation of a permanent perimeter fence around the campground. The purpose of the temporary fence is to rest an aspen restoration juniper cut from cattle grazing. These fences would prevent any additional degradation to the present resources and landscape.

The need for the project is to improve the public users experience when utilizing the campground and prevent unnecessary and undue degradation to the camping area. Installation of a temporary fence around the juniper cut would allow achievement of the grazing rest requirements following juniper removal projects and restrict cattle use until aspen shoots grow above hedge height.

**Decision**

It is my decision to implement the proposed action. The campground fence will be 0.45 miles and have a total area of 6.5 acres. The temporary fence will be installed around the juniper cut with another water gap to allow cattle to water. This fence would be a total of 0.65 miles of fence would be built and would total approximately 11 acres.

This decision is effective immediately.

**Alternatives Considered but not Selected**

The no action alternative was considered but not selected. Under this alternative neither the permanent or temporary fencing would be installed.

**Decision Rationale**

1. Based on the environmental analysis, it is determined that the proposed action will not result in any undue or unnecessary environmental degradation to the public lands and is consistent with federal, state and local laws, regulations and plans.
2. The proposed action will not adversely impact any threatened or endangered species, migratory birds, or significant scientific, cultural, or historical resources.

**Consultation and Coordination**

A list of agencies consulted and coordinated with is provided in chapter 5 of the EA.

**Public Involvement**

The BLM Surprise Field Office conducted internal scoping with an interdisciplinary team of specialists as well as coordination and scoping with the local tribes. BLM also consulted with livestock grazing permittees in developing the location of the campground fence. The project proposal was publicly scoped from March 5<sup>th</sup> thru April 4<sup>th</sup> 2014. One letter of support was received from the Nevada Department of Wildlife. The preliminary EA was sent out for public comment from October 31st thru December 1st, 2014. No comments were received.

**Plan Consistency**

This decision is consistent with the Surprise Resource Management Plan (RMP) and Record of Decision (ROD), approved on April, 2008, the Endangered Species Act; the Native American Religious Freedom Act; other cultural resource management laws and regulations; Executive Order 12898 regarding Environmental Justice; and Executive Order 13212 regarding potential adverse impacts to energy development, production, supply and/or distribution.

**Administrative Remedies**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR) Part 4, and the information provided in BLM Form 1842-1.

If an appeal is taken, your notice of appeal must be filed in the Surprise Field Office, Bureau of Land Management, U.S. Department of the Interior, 602 Cressler Street, Cedarville, CA 96104, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

**Standards to Obtaining a Stay:**

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) the relative harm to the parties if the stay is granted or denied,
- (2) the likelihood of the appellant's success on the merits,
- (3) the likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) whether the public interest favors granting the stay.

**CONTACT PERSON**

For further information regarding this project please contact, Dan Ryan, at (530) 279-2719.

The effective date of this decision will be the date this notice of decision is posted on BLM's internet website.

/S/ Gregory P. Miller

12/8/2014

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Gregory P. Miller  
Field Manager, Surprise Field Office

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Date